

**DEPARTMENT OF CONSUMER AFFAIRS  
BUREAU OF SECURITY AND INVESTIGATIVE SERVICES**

**SPECIFIC LANGUAGE**

The Department of Consumer Affairs, Bureau of Security and Investigative Services is hereby amending regulations in Division 7 of Title 16 of the California Code of Regulations, as follows:

**§600.1. Definitions.**

In this chapter, unless the context otherwise requires:

- (a) “Code” refers to the Business and Professions Code.
- (b) “Chapter” refers to Chapter 8, 8.5, 11, 11.3, 11.4, 11.5, or 11.6 of Division 3 of the Code.
- (c) “Person” includes any individual, firm, company, association, organization, partnership or corporation;
- (d) “Licensee” as used herein means any person licensed, certified, registered or issued a permit under Chapter 8, 8.5, 11, 11.3, 11.4, 11.5 or 11.6 of the Code.
- (e) “Licensee” as used herein includes a certificate, registration, permit or other means to engage in a business or profession regulated by Chapter 8, 8.5, 11, 11.3, 11.4, 11.5 or 11.6 of the Code.

Note

Authority cited: Sections 6980.7, 7501.6, 7515, 7574.2, 7581 and 7591.6, Business and Professions Code. Reference: Sections 6980, 6980.7, 7500.1, 7501.6, 7512.4, 7515, 7580.4, 7581, 7590.1 and 7591.6, Business and Professions Code.

**§601.3. Abandonment of Applications.**

If an applicant fails to complete his or her application within one year after it has been filed, or fails to take and pass the examination within a one year period after becoming eligible therefor, the application shall be deemed abandoned. Any application submitted subsequent to the abandonment of a former application shall be treated as a new application and must be filed in accordance with Section 601.

Note

Authority cited: Sections 6980.7, 7501.6, 7515, 7574.2, 7581 and 7591.6, Business and Professions Code. Reference: Sections 6980.25, 7504.6, 7523, 7526, 7582.8, 7583.28 and 7593, Business and Professions Code.

### **§601.5 Application Criteria for Proprietary Private Security Officer.**

Every individual who seeks registration as a proprietary private security officer shall:

(1) Submit to the Bureau an application for registration as a proprietary private security officer on a form prescribed by the Director;

(2) Submit full and complete fingerprints of the applicant to the Bureau for use in conducting background checks through the California Department of Justice and the Federal Bureau of Investigation, in the manner specified, and pursuant to the conditions and requirements set forth, in Business and Professions Code section 7583.9; and

(3) Pay an application fee to the Bureau as provided in Article 8 of these regulations.

#### Note

Authority cited: Section 7574.2 of the Business and Professions Code.

### **§602. Substantial Relationship Criteria.**

For purposes of denial, suspension, or revocation of a license of pursuant to Division 1.5 (commencing with Section 475) of the Code, a crime or act shall be considered to be substantially related to the qualifications, functions, or duties of a licensee if to a substantial degree it evidences present or potential unfitness to perform the functions authorized by the license in a manner consistent with the public health, safety, and welfare. Such crimes or acts shall include, but not be limited to, those delineated in Section 7561.1 or 7561.4 of the Business and Professions Code.

#### Note

Authority cited: Sections 481, 6980.7, 6980.71, 7501.6, 7515, 7574.2, 7581 and 7591.6, Business and Professions Code. Reference: Sections 475, 480, 481, 490, 6980.45, 7501.7, 7561.1, 7587.1, 7587.4, 7582.3, 7561.4 and 7591.10, Business and Professions Code.

### **§602.1. Criteria for Evaluating Rehabilitation.**

When considering the denial, suspension, revocation or reinstatement of a license for which application has been made under Chapter 8, 8.5, 11, 11.3, 11.4, 11.5 or 11.6 of the Code, the Director, in evaluating the rehabilitation of the applicant, licensee or petitioner and his or her present eligibility for a license will consider the following criteria:

(1) The nature and severity of the act(s) or crime(s) under consideration as grounds for denial.

(2) Evidence of any act(s) committed subsequent to the act(s) or crime(s) under consideration as grounds for denial which also could be considered as grounds for denial under Section 480 of the Code.

(3) The time that has elapsed since commission of the act(s) or crime(s) referred to in subdivision (1) or (2).

- (4) The extent to which the applicant has complied with any terms of parole, probation, restitution, or any other sanctions lawfully imposed against the applicant.
- (5) Evidence, if any, of rehabilitation submitted by the applicant.
- (6) If applicable, evidence of proceedings pursuant to Section 1203.4 of the Penal Code.

Note

Authority cited: Sections 482, 7501.6, 7515, 7574.2, 7581 and 7591.6, Business and Professions Code. Reference: Sections 480, 482 and 490, Business and Professions Code.

### **§603. Scope of Article 1.5.**

Except as otherwise provided therein, pProvisions contained in Article 1.5 of these regulations shall apply to persons licensed, registered or certified under Chapter 11 (Repossessors Act), 11.4 (Proprietary Security Services Act), 11.5 (Private Investigator Act) and 11.6 (Alarm Company Act) of the Business and Professions Code.

Note

Authority cited: Sections 7501.6, 7515, 7574.2, 7581 and 7591.6, Business and Professions Code. Reference: Sections 7501.6, 7515, 7581 and 7591.6, Business and Professions Code.

### **§605. Scope of Examination.**

All applicants for licensure, except applicants for registration under chapter 11.4 of Division 3 of the Code, must take a written examination designed to determine the ability and fitness of the applicant to engage in business under the particular license for which the application is filed.

[Note: Former Chapter 7 (Collection Agency Licensing Bureau) and former Chapter 11 (Bureau of Private Investigators and Adjusters) merged as Division 7 -Bureau of Collection and Investigative Services.]

Note: Authority cited: Sections 7501.6, 7515, 7574.2, 7581 and 7591.6, Business and Professions Code. Reference: Sections 7504, 7527, 7582.9 and 7599, Business and Professions Code.

### **§ 606. Filing of Addresses.**

Except as otherwise specified in statute, each person applying for or issued a certificate, registration, permit or license under Chapters 8.5, 11, 11.3, 11.4, 11.5 or 11.6 of the Code shall:

(a) as required by the Code file his or her current address of record with the bureau;

(b) within thirty (30) days of a change of address, notify the bureau of the change, indicating both the old and new addresses; and

(c) not list a post office box or the address of a mailbox service as his or her address of record unless mail delivery to the physical location of the residence or business is not possible and/or, in the case of a licensed business, the principal place of business is located in the licensee's personal residence.

(1) If the address of record listed is that of a mailbox service or a post office box, it must clearly be identified as such.

(2) If the principal place of business is a personal residence, and a post office box or the address of a mailbox service is listed as the address of record, the residence address must also be provided.

(3) The requirements of subsection (b) herein shall apply to any change of address, including, but not limited to, a change of post office box, mailbox service, or a change of business or residence location.

Note:

Former Chapter 7 (Collection Agency Licensing Bureau) and former Chapter 11 (Bureau of Private Investigators and Adjusters) merged as Division 7 -Bureau of Collection and Investigative Services.

Note:

Authority cited: [Sections 6980.7, 7501.6, 7515, 7581 and 7591.6, Business and Professions Code](#). Reference: [Sections 6980.17, 6980.18, 6980.19, 6980.20, 6980.21, 7503, 7503.2, 7503.3, 7503.4, 7506.5, 7507.1, 7525.1, 7533, 7574.2, 7582.7, 7582.18, 7582.18, 7582.19, 7583.10, 7585.3, 7585.11, 7593, 7593.1, 7593.2, 7593.3, 7593.4, 7598.6 and 7599.23, Business and Professions Code](#).

#### **607.4. Assignment of License.**

(a) A license issued under Chapter 8.5, 11, 11.3, 11.4, 11.5 or 11.6 of the Code is not assignable.

(b) "Assignable" refers to a quality or legal attribute which permits a thing to be transferred or negotiated. To say that a license is "not assignable" is to say that

(1) the rights, privileges and duties attached to the license may not be transferred from one person to another; and that

(2) no licensee may permit an employee or agent in his or her own name to advertise, engage clients, furnish reports, render services, present bills to customers or in any

manner conduct business for which a license is required under Chapter 8.5, 11, 11.3, 11.5 or 11.6.

Note:

Former Chapter 7 (Collection Agency Licensing Bureau) and former Chapter 11 (Bureau of Private Investigators and Adjusters) merged as Division 7 -Bureau of Collection and Investigative Services.

Note:

Authority cited: Sections 6980.7, 7501.6, 7515, 7574.2, 7581 and 7591.6, Business and Professions Code. Reference: Sections 6980.17, 6980.31, 7502, 7503.9, 7520, 7530, 7582, 7582.14, 7592, 7599.34 and 7599.47, Business and Professions Code.

### **608.3. Bureau-Issued Identification Card.**

(a) Licensees shall at all times while in the course of their duties maintain in their possession any bureau-issued identification cards relevant to the duties being performed and issued under Chapters 11, 11.3, 11.4, 11.5 and 11.6 of the Code and shall present them to any peace officer or bureau representative upon demand.

(b) "Bureau-issued identification card," as used herein, refers to any card serving as verification of license, registration, permit or certification status and issued pursuant to Chapter 11, 11.3, 11.4, 11.5 or 11.6 of the Code.

(c) In the event of the loss, destruction or theft of his or her bureau-issued identification card, the licensee shall within 72 hours:

(1) notify his or her employer of the loss and

(2) apply to the Chief for a certified replacement for the card, certifying under penalty of perjury as to the circumstances surrounding the loss, and remit a ~~\$2.00~~ \$10.00 per-card certification fee, whereupon the Chief shall issue a certified replacement. The replacement fee for the baton certificate is \$5.00 per card.

(d) After applying for but prior to receiving a certified replacement card, the licensee or registrant shall carry the receipt from his or her original card or other such documentation as may serve to verify certification, registration or licensing status. No documentation may be substituted for a valid firearms qualification card in meeting the requirements of Sections 7542, ~~7545~~ and 7597.1 of the Code.

(e) A person may work as a proprietary private security officer pending receipt of the registration card if he or she has been approved by the Bureau and carries on his or her person a hardcopy printout of the Bureau's approval from the Bureau's web site and a valid picture identification.

Note:

Authority cited: Sections 6980.7, 7501.6, 7515, 7574.2, 7581 and 7591.6, Business and Professions Code. Reference: Sections 163, 6980.23, 7506.9, 7508.1, 7529, 7542, 7582.13, 7583.3, 7583.5, 7583.17, 7583.22, 7583.32, 7593.7, 7598.14, 7597.1 and 7598.51, Business and Professions Code.

### **§627. Registration Expiration and Renewal.**

(a) A registration shall expire ~~on the 31st day of December of the second calendar year~~ two years from the date of issuance or on the assigned renewal date.

(b) At least sixty days prior to the expiration of a registration, a registrant who desires to continue registration shall complete an application for renewal of registration.

(c) The licensee shall obtain renewal forms from the bureau, and shall provide the opportunity to an employee whose registration will expire at the end of the year to complete a renewal application. The licensee shall submit to the bureau the completed application and renewal fee at least 30 days prior to the expiration.

(d) A registrant may obtain renewal forms from the bureau and may submit the renewal application and fee to the bureau.

(e) The renewed registration shall be for two years and shall expire two years from the date of issuance or on the assigned renewal date. ~~on December 31st.~~ The amount of the renewal fee shall be fixed by the Director.

(f) ~~An expired registration may not be renewed. A person with an expired registration may become eligible for employment in a position for which registration is required by applying for a new registration in the manner required of persons not previously registered.~~ In the event a registrant fails to request a renewal of his or her registration as provided for in this chapter, the registration shall expire as indicated on the registration. If the registration is renewed within 60 days after its expiration, the registrant, as a condition precedent to renewal, shall pay the renewal fee and the delinquency fee.

(g) If the renewed registration card has not been delivered to the registrant prior to the date of expiration of the prior registration, the registrant may present a copy of his renewal application as evidence of continued registration, for a period not to exceed 90 days after the date of expiration.

Note

Authority cited: Sections 7574.2, 7581, and 7591.2, Business and Professions Code. Reference: Sections 7583.20, 7593.11 and 7593.13, Business and Professions Code.

**§642.5 Proprietary Private Security Officer Fees.**

The fees authorized by Section 7574.2 of the Proprietary Security Services Act are as follows:

- (1) A registration fee for a proprietary private security guard shall be fifty dollars (\$50).
- (2) A proprietary private security guard registration renewal fee shall be thirty-five dollars (\$35).
- (3) The delinquency fee is 50 percent of the renewal fee in effect on the date of expiration.

Note

Authority cited : Section 7574.2, Business and Professions Code.